

Message Text

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PAGE 01 SEOUL 08234 061142Z

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ACTION EA-14

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USIE-00 INRE-00 PM-07 H-03 INR-10 L-03 NSC-10 PA-04

RSC-01 PRS-01 SPC-03 SS-20 ACDA-19 DRC-01 /111 W

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JCS IMMEDIATE

INFO CINCPAC IMMEDIATE

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C O N F I D E N T I A L SEOUL 8234

JOINT EMBASSY/UNC MESSAGE

EO 11652 GDS

TAGS: PBOR, MARR, KS, KN

SUBJ: 346TH MAC MEETING: NORTH KOREAN TERRITORIAL
WATERS CLAIM

REF: CINCUNC UNC 011145Z

1. CAREFUL READING OF THE TRANSLATIONS OF THE TAPES
OF THE 346TH MAC MEETING BY ARMISTICE AFFAIRS DIVISION
CALLED ATTENTION TO ONE SENTENCE OF NORTH'S THIRD
STATEMENT WHICH READS: QUOTE SUB-PARAGRAPH 13B OF
THE ARMISTICE AGREEMENT POINTS OUT THAT PAENGYONG-DO,
TAECHONG-DO, SOCHONG-DO, YONPYONG-DO AND U-DO ISLANDS
ARE LOCATED IN OUR COASTAL WATERS AND THAT YOUR SIDE
ONLY EXERCISES CONTROL OF THEM. UNQUOTE A REPLAY
OF THE TAPE OF THE MEETING THIS DATE INDICATES THAT
WHEN THIS SENTENCE WAS SPOKEN BY THE SENIOR MEMBER,
KPA/CPV SIDE, HE PLACED HIS EMPHASIS ON THE WORD
"ONLY."

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PAGE 02 SEOUL 08234 061142Z

2. OUR INTERPRETERS, BASED PURELY ON WHAT THEY HEARD,

BELIEVE THAT THE INTENT OF THE NORTH WHEN MAKING THIS STATEMENT WAS TO ASSERT THAT THE UNC ONLY CONTROLS THE ISLANDS, BUT DOES NOT CONTROL ANY OF THE WATER AROUND THE ISLANDS. HOWEVER, THE INTERPRETERS CAN NOT RULE OUT THE POSSIBILITY THAT THE NORTH MEANT TO IMPLY THAT THE UNC ONLY CONTROLS THE ISLANDS AS OPPOSED TO HAVING TOTAL TERRITORIAL SOVEREIGNTY OVER THE ISLANDS.

3. IN THIS REGARD DURING NEGOTIATIONS IN 1952 OVER THE TERMS OF THE ARMISTICE AGREEMENT, PARTICIPANTS COULD NOT AGREE ON THE NAMES TO CALL THE COUNTRIES COMPOSING NORTH AND SOUTH KOREA. THEREFORE, THEY AGREED TO DENOTE TERRITORIAL CONTROL BY USING THE PHRASES QUOTE UNDER THE MILITARY CONTROL OF THE COMMANDER-IN-CHIEF, UNITED NATIONS COMMAND UNQUOTE AND QUOTE UNDER THE MILITARY CONTROL OF THE SUPREME COMMANDER OF THE KOREAN PEOPLE'S ARMY AND THE COMMANDER OF THE CHINESE PEOPLE'S VOLUNTEERS UNQUOTE.

4. GIVEN ABOVE THERE IS AN APPARENT CONTRADICTION IN NORTH KOREAN-MAC STATEMENT ACKNOWLEDGING AND ACCEPTING UNC CONTROL OF THE ISLANDS BUT ASSERTING AT THE SAME TIME THAT THE ISLANDS ARE LOCATED IN THEIR "COASTAL WATERS." ONE POSSIBLE EXPLANATION IS THAT NORTH KOREA ANTICIPATES FROM THIS YEAR'S UNGA DEBATE SHIFT OF RESPONSIBILITY FOR ARMISTICE FROM UNC TO ROK AND IS LAYING GROUNDWORK FOR CLAIM TO ISLANDS THEMSELVES BY DELIBERATELY MISINTERPRETING WORKS "UNDER UNC CONTROL" TO AT LEAST LEAVE QUESTION OF RESIDUAL SOVEREIGNTY OPEN FOR SUBSEQUENT NEGOTIATIONS RE ALTERNATIVE ARRANGEMENTS.

5. IF THIS HYPOTHESIS IS TRUE, IT COULD MEAN WE ARE AT BEGINNING OF PERIOD OF PROTRACTED "LEGAL" MANEUVERING AT PANMUNJOM AND CONTINUING PATROL ACTIONS OF NORTH KOREANS TO ESTABLISH CLAIM TO 12 MILES OF TERRITORIAL WATERS.
UNDERHILL

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NNN

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